

PERSONAL BACKGROUND

My name is Tim Evinger, I retired four years ago after serving 3 terms as the Klamath County Sheriff and 24 years in law enforcement. As a matter of background, I am not only a career law enforcement officer and administrator, I am also a motorcycle rider- both as a civilian, often as my primary vehicle for transportation, and as a police officer. After receiving my driver's license at 16, I promptly went back to DMV on my motorcycle to add my motorcycle endorsement. I rode my motorcycle to high school then to college and commuted to my workplace. My affection for two-wheeled motorized transportation eventually translated into my career. I served 11 years riding as a motor officer. During that time, I was certified by the Oregon State Police motorcycle division. I went on to become a motor instructor- teaching and certifying other police officers throughout the State of Oregon. During this training, a CHP motor officer took time to explain to students how and why lane sharing should be done and why it is effective for traffic movement and the safety of motorcyclists. This made an impact on me and stuck with me since that lecture and demonstration. While my comments and testimony today address enforcement and safety from a police officer's perspective, I cannot deny that I am a lifelong rider and I appreciate the many efficiencies of motorcycling. Getting through congested traffic and being one less full four wheeled vehicle stuck on the highway really is one of them.

SB 385 is full of safeguards, indicative of a traffic law that is proceeding cautiously. This is ironic as it is exactly the way motorcyclists are taught how they should ride at all times. Lane filtering, or splitting, is no different. It can be done correctly and safely.

ENFORCEMENT AND SAFEGUARDS

- 1) In considering multiple scenarios that law enforcement might encounter in enforcing lane filtering, I am only left with a few hypothetical situations that really do not change anything from what law enforcement officers currently enforce. These are:
 - a. Unsafe Lane Changes: This law does not offer any asylum from a motorcyclist making unsafe lane changes.
 - b. Careless Driving: The law specifies that the operator will drive in a "cautious and prudent manner" while utilizing the space between vehicles.
 - c. Speed Measurement: Officers have electronic and mechanical tools to measure speed, including their own estimation of speed. Officers utilize these tools daily and recognizing motorcycle operators traveling in excess of 20 mph is a familiar task. Business districts and school zones throughout the state have these same posted limits.
 - d. Eluding a Stop for Enforcement: Whether an individual is operating a motorcycle today or after this law change occurs, if the operator has disregard for the law to

the level to attempt to elude, he/she currently has the same ability to filter lanes and attempt to avoid enforcement.

- 2) Giving motorcyclists the option to keep moving and provide tools for a higher probability that they will arrive at their destination safely and more expediently is the goal. Motorcyclists have the most to lose in the event of an accident or incident and it is my opinion that the vast majority will conduct themselves in the cautious and prudent matter defined. Again, those that will not, do not heed the laws or safety suggestions already.
- 3) This bill is not encouraging motorcyclists to “squeeze” between cars. With lane widths on our highways and average car widths, there is often five feet of lane width available for sharing or filtering.
- 4) As previously mentioned, this law proceeds cautiously. There are tens of thousands of miles of city streets, county roads and highways throughout the state that this bill does not address, which riders and motorists alike could benefit. However, this law is limited to multi-lane highways and freeways with a posted speed of 50 mph or more. 50+ is a big speed differential from zero MPH. This is exactly why bikes, which are more difficult to see, simply because of their size and their required one DOT approved brake light and taillight, should not be left as a sitting duck on the state’s fastest and most congested roads during a slowdown.
- 5) These roads that will be subject to lane filtering are typically divided and are well-travelled. They are often a traffic patrol priority and law enforcement is adept at utilizing their radios to alert other patrols who may be in a position to intercept a careless driver, regardless of the type of vehicle being operated.

In closing, motorcycles and mopeds are maneuverable. Part of the safety system of these two-wheeled vehicles is maneuverability for avoidance. We should be encouraging them to use this safety feature. Lane sharing, filtering, or splitting is a primary example of utilizing this maneuverability. Oregon is a progressive and innovative state. Transportation is no exception. Whether it is bicycles, motorcycles, implements of husbandry, commercial trucks, or passenger cars, we need to continue to find ways to safely share the road and keep Oregon moving.